

# TOWN OF DAVIE

## TOWN COUNCIL AGENDA REPORT

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Mark Kutney, AICP, Development Services Director/(954) 797-1101  
Prepared by Annie Feng, Planner II

**SUBJECT:** Resolution DG 12-2-03, Wolf Family Plat, 5700 University Drive/Generally located at the northeast corner of University Drive and Stirling Road

**AFFECTED DISTRICT:** District 2

**TITLE OF AGENDA ITEM:**

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "WOLF FAMILY PLAT", AND PROVIDING AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The proposed delegation request is in light of the proposed site plan (MSP 2-1-04), known as Lakeside Town Shops, for 275,000 square feet of retail use consisting of an 185,000-square-foot Target Superstore, additional 65,000-square-foot retail uses and 25,000-square-foot outparcels at the northeast corner of University Drive and Stirling Road.

The applicant is requesting to amend the restrictive note on the "Wolf Family Plat" **From** "This plat is restricted to 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use, and a 185 room hotel. Commercial uses shall be restricted to restaurants, retail establishments, and personal service and shall not consume more than 20 percent of the gross floor area on this plat. Commercial/retail uses are not permitted within the warehouse/storage and/or office use without the approval of the Board of County Commissioners who shall review and address these uses for increase impacts." **To** "This plat is restricted to 275,000 square feet of commercial use."

Currently, the applicant has filed the following requests to allow the proposed development:

- Land Use Amendment (LA 03-10) to change the land use of the subject site from Commerce/Office to Commercial, was approved for transmittal to DCA by the Town Council on February 18, 2004.
- Rezoning (ZB 12-1-03) to change the zoning classification from CC, Commerce Center District to UC, Urban Commercial District, was tabled by Council from the May 5, 2004 meeting to the May 19, 2004 Town Council meeting.
- Developers Agreement (DA 3-1-04), findings of adequacy for Meeks Farms Plat, is on the same agenda for Town Council review. Meeks Farms Plat, north to the Wolf Family Plat, is proposed to have a 7,000-square foot bank building and a drainage lake to serve the on-site drainage requirements for the proposed retail development.

- Delegation Request (DG 3-1-04) to amend the non-vehicular-access line located on the southern boundary of the Wolf Family Plat on Stirling Road from a 50-foot opening to an 100-foot opening.

The proposed amendment is consistent with the proposed use of the subject site. Approval of this request is subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the delegation request shall be deemed denied by the Town of Davie.

**PREVIOUS ACTIONS:** None

**CONCURRENCES:** None

**FISCAL IMPACT:** None

**RECOMMENDATION:** Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

**Attachments:** Resolution, Planning Report, Plat, Existing Future Land Use Map, and Subject Site and Aerial Map

RESOLUTION \_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE RESTRICTIVE NOTE OF THE "WOLF FAMILY PLAT", AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the plat known as the Wolf Family Plat was recorded in the public records of Broward County in Plat Book 171, Page 85; and

WHEREAS, the applicant desires to revise the restrictive note associated with said plat; and

WHEREAS, Broward County requires that the Town of Davie concur with this revision prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve of the proposed revision to the restrictive note shown on the Wolf Family Plat. The proposed revision being specifically described on the planning report attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

\_\_\_\_\_  
MAYOR/COUNCILMEMBER

ATTEST:

\_\_\_\_\_  
TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004.

**Application #:** DG 12-2-03 Wolf Family Plat  
**Exhibit "A"**

**Revisions:**  
**Original Report Date:** 4/30/04

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**TOWN OF DAVIE**  
**Development Services Department**  
**Planning & Zoning Division**  
*Staff Report and Recommendation*

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**Applicant Information**

**Petitioner (Contract Buyer):**

**Name:** Stiles Development Co.  
**Address:** 300 S. E. 2<sup>nd</sup> Street  
**City:** Ft. Lauderdale, FL 33301  
**Phone:** (954) 627-9173

**Agent:**

**Name:** Miller Legg & Associates, Inc.  
**Address:** 1800 N. Douglas Rd. #200  
**City:** Pembroke Pines, FL 33024  
**Phone:** (954) 436-7000

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**Background Information**

**Application History:** No deferrals have been requested.

**Application Request:** The petitioner, Stiles Development Co., is requesting to amend the restrictive note on the "Wolf Family Plat" **From** "This plat is restricted to 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185 room hotel. Commercial uses shall be restricted to restaurants, retail establishments, and personal service and shall not consume more than 20 percent of the gross floor area on this plat. Commercial/retail uses are not permitted within the warehouse/storage and/or office use without the approval of the Board of County Commissioners who shall review and address these uses for increase impacts." **To** "This plat is restricted to 275,000 square feet of commercial use."

**Address/Location:** 5700 University Drive/Generally located at the northeast corner of University Drive and Stirling Road

**Future Land Use Plan Designation:** The existing land use designation is Commerce/Office on the Town of Davie Future Land Use Plan Map and Commercial on the Broward County Land Use Plan Map.

On February 18, 2004, the Town Council approved the transmittal of Land Use Amendment LA 3-10, to change the land use of the subject site from Commerce/Office to Commercial.

**Existing Zoning:** CC, Commerce Center District

**Proposed Zoning:** UC, Urban Commercial District

**Existing Use:** Vacant

**Proposed Use:** 275,000 square feet of Commercial retail use

**Parcel Size:** 39.36 acres

<u><b>Surrounding Uses:</b></u>		<u><b>Surrounding Land Use Plan Map Designations:</b></u>
<b>North:</b>	Nursery	Commerce/Office
<b>South:</b>	Vacant Commercial Land/CBWCD/ Silverado Homes	Commercial, Residential (5 DU/ AC)
<b>East:</b>	Exotic Acres/Landscape Nursery With Single Family Homes	Residential (1 DU/ AC), Residential (10 DU/ AC)
<b>West:</b>	University Creek Shops/Gas Station	Commercial

**Surrounding Zoning:**

<b>North:</b>	CC, Commerce Center District
<b>South:</b>	B-3, Planned Business Center District /RM-5, Low Medium Density Dwelling District/CF, Community Facilities District
<b>East:</b>	A-1, Agricultural District/R-1, Estate Dwelling District
<b>West:</b>	B-2, Community Business District

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## **Zoning History**

**Previous Requests on same property:** A plat for this parcel, the Wolf Family Plat (Plat Book 171, Page 85), was approved by Town Council on March 16, 1999 by Resolution R 99-91. The approved plat allows for 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185 room hotel. This plat was approved by the Broward County Board of County Commissioners on November 7, 2000.

Wal-Mart Stores East, Inc. initiated Land Use Plan Amendment, LA 00-1A, to change the land use of the subject site from Commerce/Office to Commercial. The application was denied by Town Council on May 3, 2000 by a vote of 5-0.

On February 18, 2004, the Town Council approved the transmittal of Land Use Amendment to change the land use of the subject site from Commerce/Office to Commercial.

On May 5, 2004, Town Council approved the rezoning request, ZB 12-1-03, to rezoning the property from CC, Commerce Center District, to UC, Urban Commercial District, for the first reading.

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## **Application Details**

Petitioner is requesting to amend the restrictive note on the “Wolf Family Plat” to reflect the proposed level of development.

**Current Plat Note:** This plat is restricted to 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185-room hotel. Commercial uses shall be restricted to restaurants, retail establishments, and personal service and shall not consume more than 20 percent of the gross floor area on this plat. Commercial/retail uses are not permitted within the warehouse/storage and/or office use without the approval of the Board of County Commissioners who shall review and address these uses for increase impacts.

**Proposed Plat Note:** This plat is restricted to 275,000 square feet of commercial use.

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### **Applicable Codes and Ordinances**

The effective code of ordinances governing this project is the Town of Davie Land Development Code.

The Broward County Land Development Code requires Delegation Requests for plat note amendments.

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### **Significant Development Review Agency Comments**

Broward County Development Management Division is the County lead agency in assessing the impact of development through the plat and/or delegation request process. Broward County requires that the petitioner request to amend or revise the level of approved development on the plat. Such requests must be approved by the local municipality and County Commission, and then subsequently recorded against the plat. As part of the delegation request process, the property would be reviewed for traffic concurrency and assessed any additional traffic impact fees, or mitigation measures, as applicable.

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### **Comprehensive Plan Considerations**

**Planning Area:** The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8 acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a Girl Scout campground facility, and a private school.

**Broward County Land Use Plan:** The subject site falls within Flexibility Zone 102.

**Broward County Land Development Code:** The Broward County Land Development Code requires that any changes or waivers to requirements of development permit applications be reviewed and approved or disapproved by the municipality with final approval by Broward County Commission.

**Applicable Goals, Objectives & Policies:**

*Future Land Use Element, Objective 4:* Pursuant to the adopted Davie Future Land Use Plan Map, land uses, intensities and densities shall be distributed and concentrated in such a manner so as to promote an economically sound community and discourage urban sprawl.

*Future Land Use Element, Policy 7-4:* Commercial land uses shall generally be located with access to primary transportation facilities including interstates, highways and arterials. Commercial uses located on arterials not designated by the Future Land Use Plan Map as Commercial corridors should be limited to the intersection of two arterials or arterials and interstates. Consistent with Policy 7-1, vacant land with such access shall be evaluated for potential Commercial use.

*Future Land Use Element, Policy 17-1:* Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

*Future Land Use Element, Policy 17-3:* Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

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**Staff Analysis/Findings of Fact**

The proposed delegation request is in light of the proposed site plan (MSP 2-1-04), known as Lakeside Town Shops, for 275,000 square feet of retail use consisting of an 185,000-square-foot Target Superstore, additional 65,000-square-foot retail uses and 25,000-square-foot outparcels at the northeast corner of University Drive and Stirling Road.

Currently, the applicant has filed the following requests to allow the proposed development:

- Land Use Amendment (LA 03-10) to change the land use of the subject site from Commerce/Office to Commercial, was approved for transmittal to DCA by the Town Council on February 18, 2004.
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- Delegation Request (DG 3-1-04) to amend the non-vehicular-access line located on the southern boundary of the Wolf Family Plat on Stirling Road from a 50-foot opening to an 100-foot opening.
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### **Staff Recommendation**

Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration. In addition, approval of this request is subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the delegation request shall be deemed denied by the Town of Davie.

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### **Town Council Action**

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### **Exhibits**

1. Justification letter
2. Plat
3. Future Land Use Map
4. Zoning and Aerial Map

Prepared by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_



Exhibit "A"

**JUSTIFICATION**

**Delegation Request to Amend the Note on the  
Wolf Family Plat (067-MP-98)**

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The Wolf Family Plat ("Plat"), generally located on the northeast corner of University Drive and Stirling Road in the Town of Davie was approved by the Broward County Commission on November 7, 2000 with the following restrictive note:

*This plat is restricted to 90,000 square feet of commercial use, 387,000 square feet of office use, 100,000 square feet of warehouse/storage use and a 185 room hotel. Commercial uses shall be restricted to restaurants, retail establishments, and personal services and shall not consume more than 20 percent of the gross floor area on this Plat. Commercial/retail uses are not permitted within the warehouse/storage and/or office use without the approval of the Board of County Commissioners who shall review and address these uses for increased impacts.*

Applicant Stiles Development Co. ("Stiles") is requesting to amend the note on the plat to the following:

*This plat is restricted to 275,000 square feet of commercial use.*

This amendment is necessary to further Applicant's objective to develop the proposed shopping plaza as shown on the attached conceptual site plan.



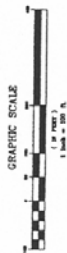
# WOLF FAMILY PLAT

CFN #101880736  
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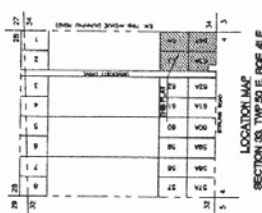
Page 2 of 2

REPLAT OF A PORTION OF TRACT 63A AND ALL OF TRACTS 63, 64 AND 64A, OF: "THE EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION", PLAT BOOK 3, PAGE 67  
DADE COUNTY RECORDS, SECTION 33, TOWNSHIP 50 SOUTH, RANGE 41 EAST, IN THE TOWN OF DAVE, BROWARD COUNTY, FLORIDA.

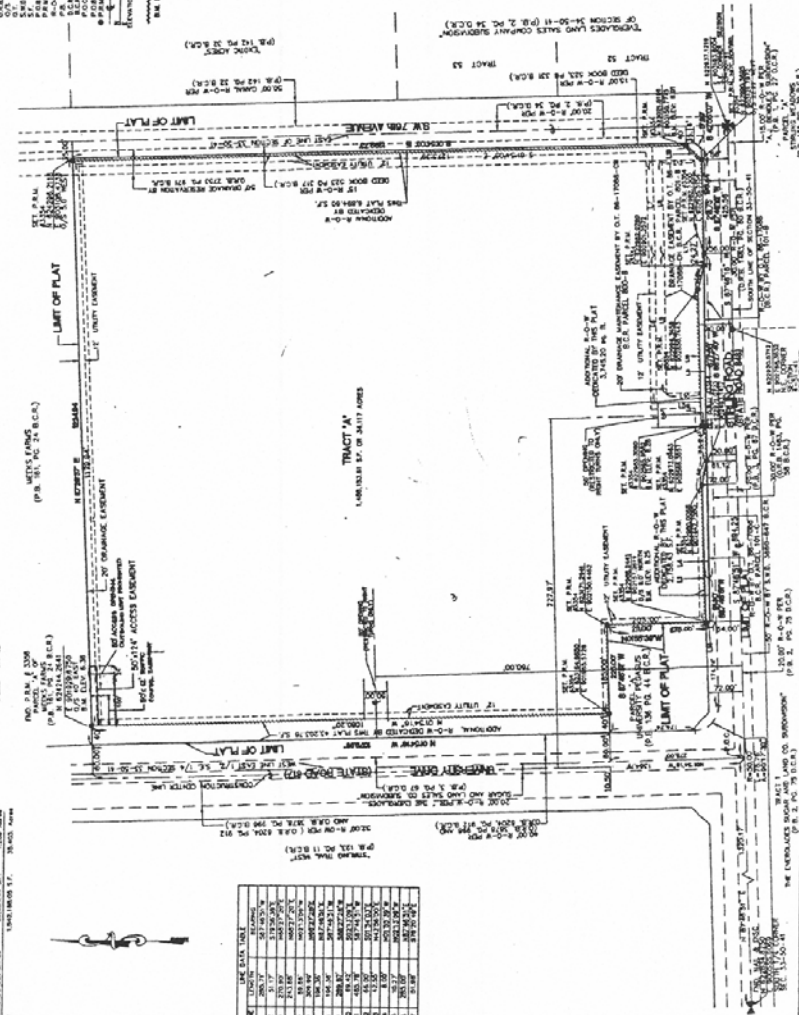
PREPARED BY:  
**ASSOCIATED ENGINEERS AND SURVEYORS OF SOUTH FLORIDA CORP.**  
CONSULTING ENGINEERS, LAND PLANNERS, LAND SURVEYORS  
7320 GRIFFIN ROAD SUITE 103, DAVIE, FLORIDA 33314 TEL: (954)-791-2110  
PROJECT NO. 98-04 DATE: MAY, 1998



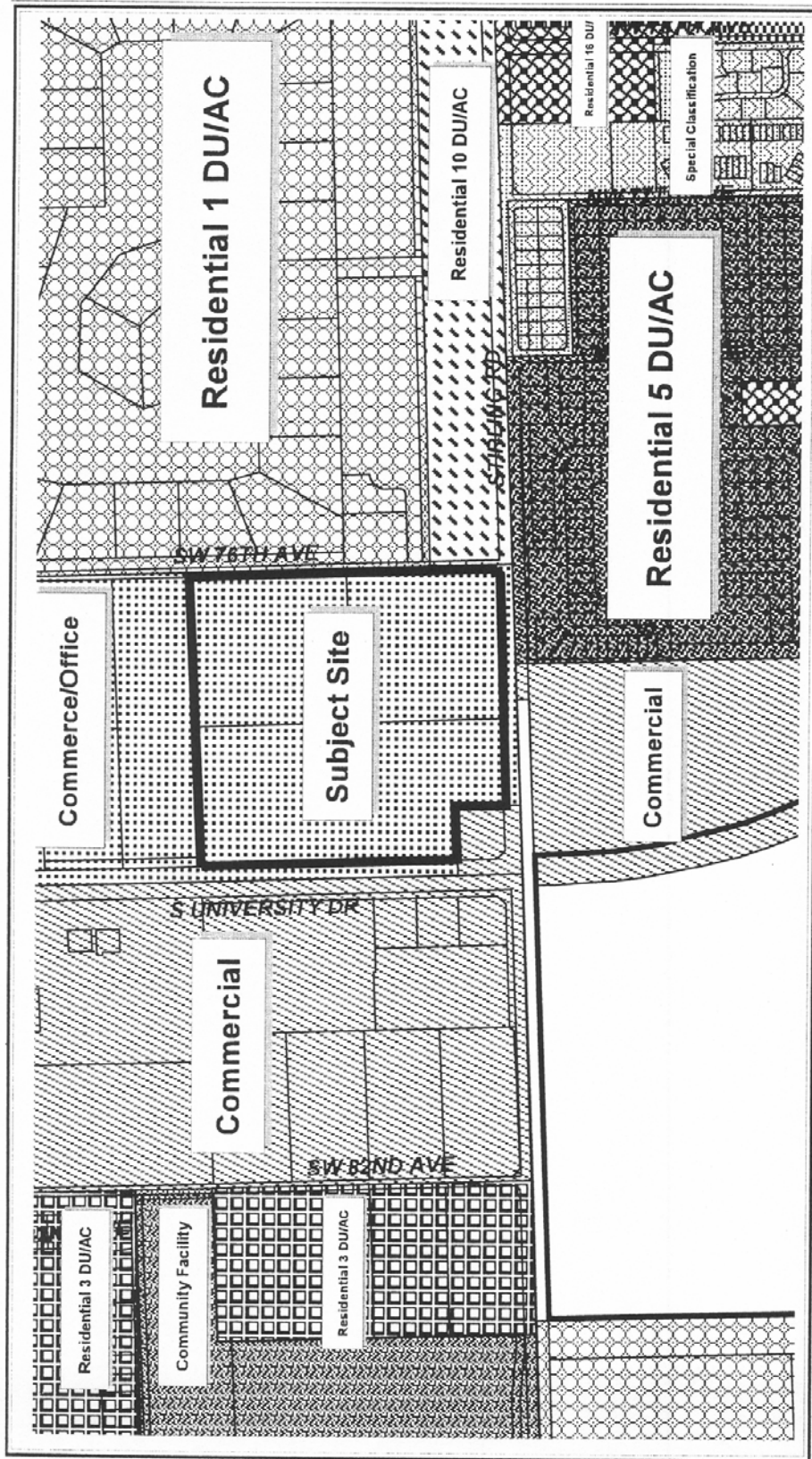
REACT "A"  
B-O-M TO BE OBTAINED



**SURVEYOR'S NOTES:**

[illegible]

LINE	LINE IN	RELATIVE
L1	2000.19	50.73 48.50 50
L2	31.17	51.79 56.30 52
L3	270.89	60.68 57.00 53
L4	243.18	60.68 57.20 53
L5	91.94	60.68 57.30 53
L6	309.89	60.68 57.40 53
L7	104.35	60.68 57.50 53
L8	194.34	60.68 57.60 53
L9	200.87	60.68 57.70 53
L10	483.78	60.68 57.80 53
L11	44.30	60.68 57.90 53
L12	44.30	60.68 58.00 53
L13	13.55	60.68 58.10 53
L14	6.39	60.68 58.20 53
L15	38.27	60.68 58.30 53
L16	200.89	60.68 58.40 53



Date Flown:  
12/31/00



500 0 500 1000 Feet

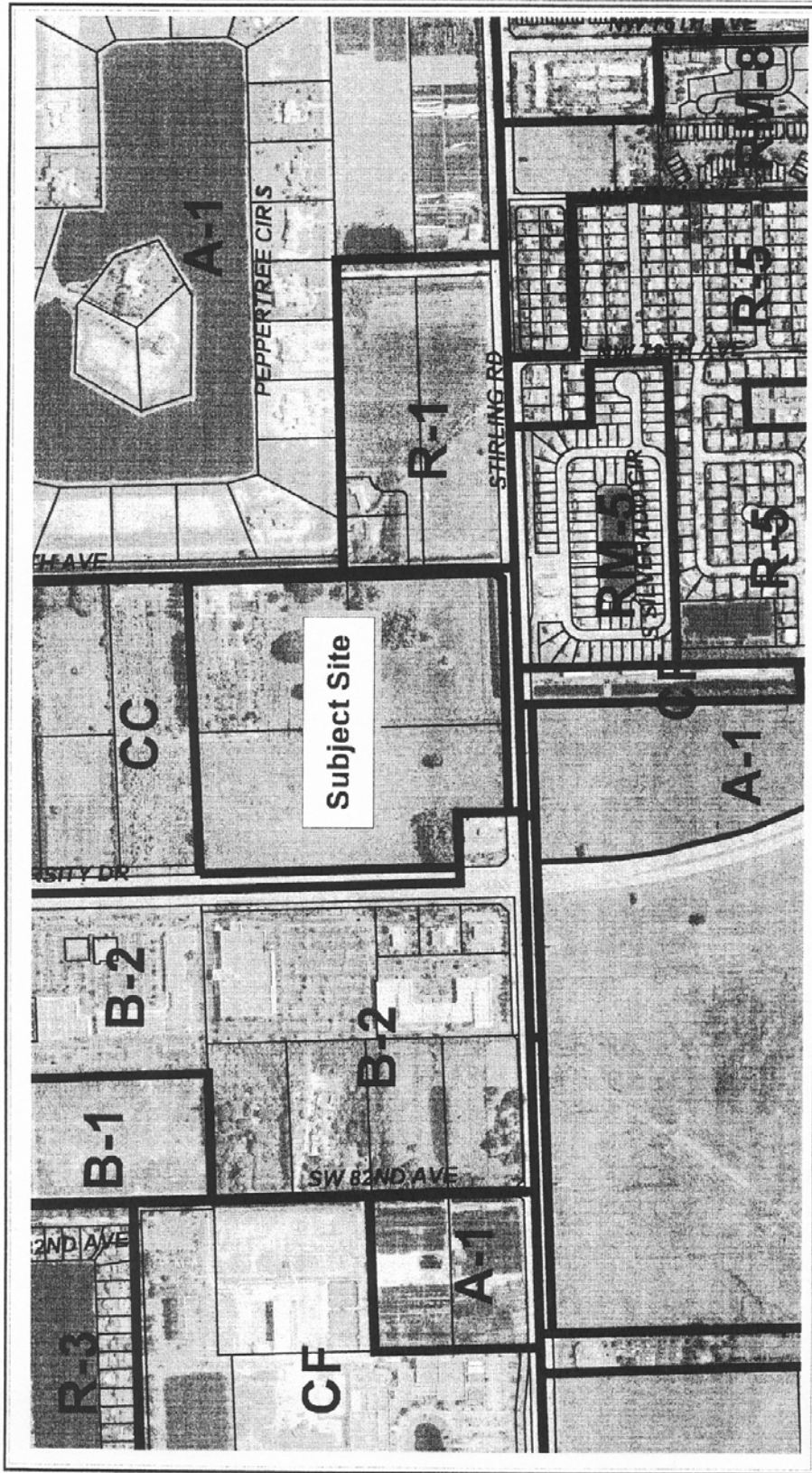
Planning & Zoning Division - GIS



# Delegation Request DG 12-2-03 Future Land Use Map

Prepared By: AYF  
Date Prepared: 4/30/04





Date Flown:  
12/31/00



500 0 500 1000 Feet

Planning & Zoning Division - GIS



# Delegation Request DG 12-2-03 Zoning and Aerial Map

Prepared By: AYE  
Date Prepared: 4/30/04

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